IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17474 of 2004

Between:

M.D.Shamimulla S/o.Sila Saheb
R/o.Ranganayakulapet, Nellore, Nellore District.

..... PETITIONER

AND

1 The Mandal Revenue Officer Nellore, Nellore District.
2 The Revenue Divisional Officer Nellore, Nellore District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order, or direction, more particularly on the nature of writ of Mandamus or any other appropriate writ or direction apprehending the respondents herein in not to interfere with the peaceful possession and enjoyment of the land in Sy.No.2258-4, total extent Ac.1.54 cents, at Amancherla Village and Post, Nellore Mandal, Nellore District in the interest of Justice.

Counsel for the Petitioner:MR.V.SARAVANA KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

Heard the learned counsel on either side and with their consent the writ petition itself is disposed of at the stage of admission.

Against the issuance of impugned show cause notice under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 1977, calling upon the petitioner to show cause why he should not be summarily evicted from the land, the petitioner has to file his explanation and it is stated that he has filed explanation.

Having regard to the same, the respondents are directed to consider the said explanation given by the petitioner and pass

appropriate orders and communicate the same to the petitioner, for enabling him to avail the remedies of appeal/revision under the above Act.

The writ petition is accordingly disposed of with above observations. No costs.

29.9.2004

CVM

To,

1 The Mandal Revenue Officer Nellore, Nellore District.
2 The Revenue Divisional Officer Nellore, Nellore District.

3. 2 CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT).

4. 2 CD copies.